

Civil Rights Training



MONTANA CHILD AND ADULT CARE FOOD PROGRAM





What are Civil Rights?



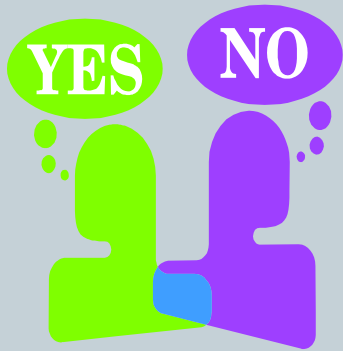
Civil Rights are personal rights guaranteed and protected by the U.S. Constitution and Federal laws enacted by Congress such as the Civil Rights Act of 1964 and American Disabilities Act of 1990.

Civil Rights Include:

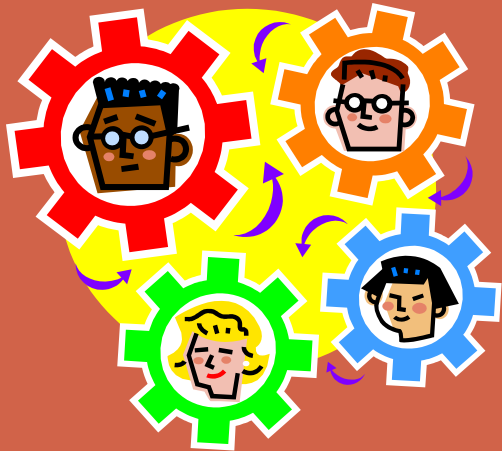
- * Equal protection of the laws**
- * Protection from unlawful discrimination**



What is Discrimination?



- ➔ **Different treatment**
- ➔ **Makes distinction from others**
- ➔ **Either intentionally, by neglect, actions or lack of actions**
- ➔ **Based on the protected classes**



The United States Department of Agriculture (USDA) statutes and regulations prohibit discrimination in Child Nutrition Programs based on the protected classes:

- * **race**
- * **color**
- * **national origin**
- * **sex**
- * **disability**
- * **age**

Why do Civil Rights apply to CACFP?



- **CACFP is a Federally-assisted program. CACFP benefits and a portion of administrative costs are funded by the Federal government.**
- **To receive Federal dollars, the State agency signed assurances promising to comply with Federal civil rights requirements.**
- **All centers receiving Federal dollars must implement civil rights requirements to be eligible for CACFP.**

Your Civil Rights Requirements



- **Annual re-certification of commitment to civil rights compliance.**
- **Train staff annually on Civil Rights – complete training forms.**
- **Develop and implement a Civil Rights complaint procedure.**
- **“And Justice for All....” statement on printed material available to the public, which mentions USDA or the CACFP.**
- **Offer meals to all participants in a non-discriminatory manner.**
- **Prominently display “And Justice For All...” poster.**

Limited English Proficiency (LEP) Requirements



Limited English Proficiency (LEP) persons are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

Recipients of Federal financial assistance have a responsibility to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency.

Goals of Civil Rights



- ★ **Equal treatment for all.**
- ★ **Knowledge of rights and responsibilities.**
- ★ **Elimination of illegal barriers that prevent or deter people from receiving benefits.**
- ★ **Dignity and respect for all.**

Civil Rights Components



- **Assurances**
- **Data collection and analysis**
- **Compliance reviews**
- **Outreach and education**
- **Technical assistance and training**
- **Reasonable accommodation**
- **Customer service**
- **Complaints investigation**

Working Together to Provide Components

State Agency

Assurances

We provide assurances to the Federal Government that the Montana CACFP will enforce civil rights at your child care center.

Data Collection and Analysis

Data is used to determine if your program is reaching potentially eligible children where outreach may be needed.

Child Care Center

Assurances

Assure that minority populations have equal opportunity to participate.

Data Collection and Analysis

Review and record the racial/ethnic make-up of the area you live in and the population you serve.



Working Together to Provide Components



State Agency

Compliance

We monitor and assist the child care center's compliance with civil rights requirements.

Outreach and Education

The State Agency issues an annual release in a nearby regional newspaper that announces every institution participating in CACFP.

Child Care Center

Compliance

Be aware of CACFP civil rights policies and updates to ensure successful compliance of your civil rights responsibilities.

Outreach and Education

Reach as many potential participants as possible, ensure program access, provide information in other languages as needed. Post "And Justice for All..." poster in a visible spot.



Working Together to Provide Components



State Agency

Training

The State agency provides annual training to directors. Civil Rights policies and training materials are available on our website.

Child Care Center

Training

Annual training is required for all staff. Maintain records for 3 years plus the current year.

Reasonable Accommodation and Customer Service

State Agency and Child Care Center

Ensure access for all people, prohibit discrimination in all aspects of delivery of CACFP. Provide referral for services if necessary.



Is this a Civil Rights issue?

A center director tells a CACFP reviewer, “I screen my parents very carefully. I’m very particular about the children I take.”

Yes, this is a potential civil rights issue. All child care institutions in CACFP must provide equal opportunity for enrollment to all children.



Is this a Civil Rights issue?

Children who speak Spanish are assigned to sit together at a *Spanish-speaking* table.



Yes. Segregating children who share a particular characteristic of any protected class is considered discrimination.

Note: Be careful of the appearance of segregation, such as seating all boys or girls at separate tables.

Is this a Civil Rights issue?

Additional foods at a child care center are consistently offered only to boys and not to girls.

Yes. This is discrimination based on sex. Any additional foods, if available, must be offered to all children.



Civil Rights Complaints



A complaint of unequal treatment may be submitted verbally or in writing.

To File a complaint write to:

**USDA Director, Office of Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410
or call (866) 632-9992 or
(202) 720-6382 (TTY) or
(800) 845-6136 (Spanish)**

Thank You!

Source: FNS -113-1
Civil Rights Compliance and Enforcement
Nutrition Programs and Activities

